

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CRISTOBAL ARZOLA,

Plaintiff,

v.

8:13-cv-52

VILLAGE OF SARANAC LAKE,

Defendant.

THOMAS J. McAVOY
Senior United States District Judge

DECISION and ORDER

The instant matter was removed to this Court from New York State Supreme Court, Clinton County. In February 2013, Plaintiff's attorney moved to withdraw from representing Plaintiff. The motion to withdraw was granted in April 2013. In that Order, Plaintiff was given thirty days to retain new counsel, otherwise he would be deemed to be proceeding pro so.

The Order further provided that

In the event [Plaintiff] does not hire a new attorney nor makes an effort to contact this Court or the Attorney for the Defendant as to whether he intends to continue prosecuting this matter within sixty days of the date of this Order, the Defendant may file a motion, pursuant to Federal Rule of Civil Procedure 41, seeking dismissal of this action. Accordingly, Cristobal Arzola is forewarned that if he fails to appear in this action, either by counsel or pro se, or fails to advise the Court of his intention, **he is on notice that this action may be dismissed for failure to prosecute.**

Dkt. No. 9.

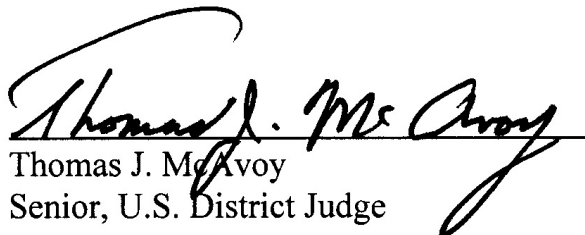
Since the April 2013 Order, Plaintiff has not taken any actions to prosecute this matter.

Defendant now moves to dismiss.

Because Plaintiff has failed to take any action to pursue this matter, it is hereby
DISMISSED pursuant to N.D.N.Y.L.R. 41.2(a).

IT IS SO ORDERED.

Dated: August 14, 2013


Thomas J. McAvoy
Senior, U.S. District Judge